

# United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

TONY ESCANLAR and DORISIE  
ESCANLAR

V.

WELLS FARGO BANK, N.A.

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CASE NO. 4:10-CV-498  
Judge Schneider/Judge Mazzant

## **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636. On March 28, 2011, the report of the Magistrate Judge was entered containing proposed findings of fact and recommendations that Defendant's Motion to Dismiss, or in the alternative, Motion for Summary Judgment (Dkt. #13) should be granted.

Having received the report of the United States Magistrate Judge, and no objections thereto having been timely filed, this Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the Court.

It is, therefore, **ORDERED** that Defendant's Motion to Dismiss, or in the alternative, Motion for Summary Judgment (Dkt. #13) is GRANTED and Plaintiffs' claims are DISMISSED with prejudice.

**IT IS SO ORDERED.**

**SIGNED this 18th day of April, 2011.**



MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE